

**COMMONWEALTH OF VIRGINIA**  
**Department of Environmental Quality**  
**Southwest Regional Office**

**STATEMENT OF LEGAL AND FACTUAL BASIS**

Buchanan Preparation Plant - Consolidation Coal Company  
State Route 632, Garden Creek, Buchanan County, Virginia  
Permit No. SWRO10945

As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Consolidation Coal Company has applied for a significant modification of the Title V Operating Permit for the Buchanan Preparation Plant on State Route 632, Garden Creek in Buchanan County, Virginia. The Department has reviewed the application and has prepared a significant modification of the Title V Operating Permit.

Engineer/Permit Contact: \_\_\_\_\_ Date: January 30, 2006

Air Permit Manager: \_\_\_\_\_ Date: January 30, 2006

Deputy Regional Director: \_\_\_\_\_ Date: January 30, 2006

## **FACILITY INFORMATION**

### Permittee

Consolidation Coal Company  
P.O. Drawer L  
Oakwood, VA 24631

### Facility

Buchanan Preparation Plant  
Route 632  
Garden Creek, Virginia

County-Plant ID No. 51-027-00081

## **SOURCE DESCRIPTION**

NAICS 212112 - Coal preparation

The facility cleans and dries coal prior to shipment by railcar or truck. The facility utilizes a coal-bed methane/coal fired thermal dryer to dry the coal that is cleaned by the wet process plant, which includes froth flotation and vacuum filtration. A Prevention of Significant Deterioration (PSD) permit was issued on September 26, 2001, for the construction of an additional coal-fired thermal dryer and wet process plant. The additional thermal dryer and wet process plant have not been constructed.

Air emissions from the facility include particulate matter (PM) and PM with a diameter less than 10 microns (PM-10) from coal and refuse handling equipment; volatile organic compounds (VOC) from the wet process plant; and PM, PM-10, VOC, nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO) and trace amounts of hazardous air pollutants (HAP) from the thermal dryer.

The facility is a Title V major source of PM-10, VOC, CO, SO<sub>2</sub> and NO<sub>x</sub>. This source is located in an attainment area for all pollutants. The facility is currently permitted under a PSD permit issued on July 30, 2004.

## **COMPLIANCE STATUS**

A full compliance evaluation of this facility, including a site visit, was conducted on August 6, 2004. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

# **EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION**

<b>Emission Unit ID</b>	<b>Stack ID</b>	<b>Emission Unit Description</b>	<b>Size/Rated Capacity</b>	<b>Pollution Control Device Description (PCD)</b>	<b>PCD ID</b>	<b>Pollutant(s) Controlled</b>
S001A	Z01	Hoist #1 dump to 100-ton surge bin BIN1	1200 TPH	Partial Enclosure	D001	PM/PM-10
S001B	Z01	Skip to Ground	300 TPH	N/A	N/A	N/A
S001C	Z01	BIN1 feeder to rotary breaker RB1 pre-screens SC1	1200 TPH	Full Enclosure	D002	PM/PM-10
S001E	Z01	SC1 underflow to raw coal silo RCS1 feed conveyor C1	1200 TPH	Full Enclosure	D004	PM/PM-10
S001F	Z01	SC1 overflow to rotary breaker RB1	1200 TPH	Full Enclosure	D005	PM/PM-10
S001H	Z01	RB1 breaker reject to breaker reject conveyor C15	1200 TPH	Full Enclosure	D007	PM/PM-10
S001I	Z01	RB1 breaker reject conveyor C15 to reject crusher CR1	1200 TPH	Full Enclosure	D008	PM/PM-10
S002	Z01	RB1 product to raw coal silo RCS1 feed conveyor C1	1200 TPH	Full Enclosure	D010	PM/PM-10
S003	Z01	Feeder to Reclaim Hopper	300 TPH	Partial Enclosure	D011	PM/PM-10
S004	Z01	Reclaim Hopper to Conveyor No. 2	300 TPH	Partial Enclosure	D012	PM/PM-10
S005	Z01	Conveyor No. 2 to Reclaim Crusher	300 TPH	Partial Enclosure	D013	PM/PM-10
S006	Z01	Reclaim Crusher	300 TPH	Full Enclosure	D014	PM/PM-10
S007	Z01	Reclaim Crusher to Conveyor No. 3	300 TPH	Partial Enclosure	D015	PM/PM-10
S008	Z01	Conveyor No. 3 to Conveyor No. 1	300 TPH	Partial Enclosure	D016	PM/PM-10
S009	Z01	Conveyor No. 1 to Raw Coal Silo RCS1	1200 TPH	Full Enclosure	D017	PM/PM-10
S011	Z01	Raw Coal Silo to Conveyor No. 4	1100 TPH	Full Enclosure	D018	PM/PM-10
S012	Z01	Rail Car Loadout Chute No. 1	100 TPH	Stationary Chute No. 1	D019	PM/PM-10
S013	Z01	Rail Car Loadout Chute No. 2	100 TPH	Stationary Chute No. 2	D020	PM/PM-10
S014	Z01	Conveyor No. 4 to Preparation Plant	1100 TPH	Full Enclosure	D021	PM/PM-10
S015	Z01	Preparation Plant (Froth Flotation)	1100 TPH	N/A	N/A	N/A
S015A	P001	Vacuum Filtration	1100 TPH	N/A	N/A	N/A
S015B	Z01	Thickener	1100 TPH	N/A	N/A	N/A

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled
S016	Z01	TD1 feed conveyor C6 to thermal dryer TD1	560 TPH	Full Enclosure	D046	PM/PM-10
S017	P002	Thermal Dryer #1 - Gas Firing	560 TPH	Venturi Scrubber	D022	PM/PM-10, SO <sub>2</sub>
S017A	P002	Thermal Dryer #1 - Coal Firing	560 TPH	Venturi Scrubber	D022	PM/PM-10, SO <sub>2</sub>
S018	Z01	TD1 reclaim conveyor C8 to clean coal silo CCS 1 feed conveyor C9	560 TPH	Full Enclosure	D023	PM/PM-10
S019	Z01	Conveyor C 5 (TD1 by-pass) to CCS 1 feed conveyor C9	560 TPH	Full Enclosure	D023	PM/PM-10
S020	Z01	Conveyor C19 to CCS1 feed conveyor C9	300 TPH	Full Enclosure	D023	PM/PM-10
S021	Z01	Feed conveyor C9 to clean coal silo CCS1	2400 TPH	Full Enclosure	D024	PM/PM-10
S022	Z01	CCS1 feed conveyor C9 to clean coal stacking tube feed conveyor C10	2400 TPH	Full Enclosure	D024	PM/PM-10
S023	Z01	Conveyor C10 to clean coal stockpile CCSP1 stacking tube ST1	2400 TPH	Partial Enclosure	D025	PM/PM-10
S025	Z01	Dozer grading clean coal stockpile CCP1	500 TPH	Water Spray	D026	PM/PM-10
S026	Z01	CCP1 under-pile feeder to reclaim conveyor C11	4000 TPH	Full Enclosure	D027	PM/PM-10
S027	Z01	CCP1 reclaim conveyor C11 to rail loadout conveyor C13	4000 TPH	Full Enclosure	D028	PM/PM-10
S028	Z01	CCS1 reclaim feeder to reclaim conveyor C12	4000 TPH	Full Enclosure	D054	PM/PM-10
S029	Z01	CCS1 reclaim conveyor C12 to rail loadout conveyor C13	4000 TPH	Full Enclosure	D028	PM/PM-10
S030	Z01	Rail loadout conveyor C13 to rail loadout	4000 TPH	Full Enclosure	D029	PM/PM-10
S031	Z01	Dust control	4000 TPH	N/A	N/A	N/A
S032	Z01	Rail car loading through telescopic chute	4000 TPH	Telescopic Chute	D030	PM/PM-10
S033	Z01	Truck loading through stationary chute	200 TPH	Stationary Chute No. 3	D031	PM/PM-10
S034	Z01	Conveyor No. 17 to House Coal Loadout	200 TPH	Partial Enclosure	D032	PM/PM-10

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled
S035	Z01	Truck loading of house coal	25 TPH	Stationary Chute No. 4	D033	PM/PM-10
S036	Z01	Conveyor No. 17 to Conveyor No. 18	200 TPH	Partial Enclosure	D032	PM/PM-10
S037	Z01	Conveyor No. 18 to Truck Loadout Feeder	200 TPH	Partial Enclosure	D033	PM/PM-10
S038	Z01	Truck Loadout Feeder to Truck Loadout No. 1	200 TPH	Partial Enclosure	D034	PM/PM-10
S039	Z01	Truck Loadout Feeder to Truck Loadout No. 2	200 TPH	Partial Enclosure	D035	PM/PM-10
S040	Z01	Stationary Chute Truck Loading No. 1	125 TPH	Stationary Chute No. 5	D036	PM/PM-10
S041	Z01	Stationary Chute Truck Loading No. 2	125 TPH	Stationary Chute No. 6	D037	PM/PM-10
S042	Z01	Reject crusher CR1 to refuse bin BIN2	500 TPH	Full Enclosure	D038	PM/PM-10
S044	Z01	Conveyor No. 14 to refuse bin	500 TPH	Partial Enclosure	D039	PM/PM-10
S045	Z01	Refuse conveyor C16 to mountain refuse bin BIN3	1200 TPH	Full Enclosure	D040	PM/PM-10
S046	Z01	Mountain refuse bin BIN3 stationary chute to refuse truck loading	1200 TPH	Stationary Chute No. 7	D041	PM/PM-10
S047	Z01	Refuse truck dumping onto refuse pile	1200 TPH	N/A	N/A	N/A
S048	Z01	Dozer grading refuse pile	1200 TPH	N/A	N/A	N/A
S049	Z01	Refuse bin BIN2 dumping onto ground	1200 TPH	N/A	N/A	N/A
S050	Z01	Endloading refuse trucks	1200 TPH	N/A	N/A	N/A
S052	Z01	Truck dumping clean coal onto temporary clean coal stockpile CCP2	200 TPH	N/A	N/A	N/A
S053	Z01	Dozer grading temporary stockpile CCP2	200 TPH	N/A	N/A	N/A
S054	Z01	Endloading clean coal trucks	200 TPH	N/A	N/A	N/A
S055	Z01	Unpaved Roads	73,000 VMT	Water Spray	D042	PM/PM-10
S056	P003	Rock dust silo	100 Tons	Fabric Vent Filter	D043	PM/PM-10
S057	P004	Magnetite silo	50 Tons	Fabric Vent Filter	D044	PM/PM-10
S058	Z01	Preparation plant PP1 fine clean coal conveyor C5	560 TPH	Full Enclosure	D021	PM/PM-10
S059	Z01	Conveyor C5 to thermal dryer TD1 feed conveyor C6	560 TPH	Full Enclosure	D045	PM/PM-10
S060	Z01	TD1 product to conveyor C7	560 TPH	Full Enclosure	D046	PM/PM-10

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled
S061	Z01	TD1 product conveyor C7 to TD1 reclaim conveyor C8	560 TPH	Full Enclosure	D047	PM/PM-10
S062	Z01	PP1 coarse clean coal to conveyor C19	300 TPH	Full Enclosure	D021	PM/PM-10
S063	Z01	Stacking tube ST1 to clean coal stockpile CCP1	2400 TPH	Drop Height	D048	PM/PM-10
S064	Z01	PP1 refuse to main plant refuse conveyor C14	500 TPH	Full Enclosure	D021	PM/PM-10
S065	Z01	Refuse bin BIN2 to conveyor C16	1200 TPH	Full Enclosure	D049	PM/PM-10
S066	Z01	Hoist #1 dump to emergency 30 ton bin w/ feeder BIN4	950 TPH	Full Enclosure	D050	PM/PM-10
S067	Z01	Emergency 30 ton bin BIN4 to hoist #1 emergency discharge conveyor C20	1200 TPH	Full Enclosure	D050	PM/PM-10
S068	Z01	Hoist #1 emergency discharge conveyor C20 to stacking tube ST2	1200 TPH	Full Enclosure	D051	PM/PM-10
S069	Z01	Stacking tube ST2 to hoist #1 emergency raw coal stockpile RCP2	1200 TPH	Drop Height	D052	PM/PM-10
S070	Z01	Front-end loader to RCP2 reclaim hopper	1200 TPH	N/A	N/A	N/A
S071	Z01	RCP2 reclaim hopper to reclaim conveyor C21	1200 TPH	N/A	N/A	N/A
S072	Z01	RCP2 reclaim conveyor C21 to 100-ton surge bin BIN1	1200 TPH	Full Enclosure	D053	PM/PM-10
S073	Z01	Hoist #2 dump to 100-ton surge bin BIN5	1500 TPH	Full Enclosure	D055	PM/PM-10
S074	Z01	BIN5 feeder to rotary breaker RB2 pre-screens SC2	1500 TPH	Full Enclosure	D055	PM/PM-10
S075	Z01	SC2 underflow to raw coal transfer conveyor C22	1350 TPH	Full Enclosure	D055	PM/PM-10
S076	Z01	Raw coal transfer C22 to raw coal conveyor C27	1350 TPH	Full Enclosure	D056	PM/PM-10
S077	Z01	SC2 overflow to rotary breaker RB2	1350 TPH	Full Enclosure	D055	PM/PM-10
S078	Z01	RB2 product to raw coal transfer conveyor C22	1350 TPH	Full Enclosure	D055	PM/PM-10
S079	Z01	RB2 breaker reject to RB2 reject conveyor C23	500 TPH	Full Enclosure	D055	PM/PM-10
S080	Z01	RB2 reject conveyor C23 to crusher CR2	500 TPH	Full Enclosure	D057	PM/PM-10
S081	Z01	Crusher CR2 to crusher/breaker reject conveyor C24	500 TPH	Full Enclosure	D057	PM/PM-10

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled
S082	Z01	Crusher/Breaker reject conveyor C24 to reject conveyor C28	500 TPH	Full Enclosure	D056	PM/PM-10
S083	Z01	Hoist #2 dump to emergency 30-ton bin w/ feeder BIN6	1500 TPH	Full Enclosure	D055	PM/PM-10
S084	Z01	Emergency 30-ton bin BIN6 to hoist #2 emergency discharge conveyor C25	1500 TPH	Full Enclosure	D055	PM/PM-10
S085	Z01	Hoist #2 emergency discharge conveyor C25 to stacking tube ST3	1500 TPH	Full Enclosure	D058	PM/PM-10
S086	Z01	Stacking tube ST3 to hoist #2 emergency raw coal stockpile RCP3	1500 TPH	Drop Height	D059	PM/PM-10
S087	Z01	Emergency raw coal stockpile RCP3 to RCP3 reclaim conveyor C26	1500 TPH	Full Enclosure	D060	PM/PM-10
S088	Z01	RCP3 reclaim conveyor C26 to 100-ton surge bin BIN5	1500 TPH	Full Enclosure	D055	PM/PM-10
S089	Z01	Reject conveyor C28 to refuse conveyor C16	500 TPH	Full Enclosure	D040	PM/PM-10
S090	Z01	Raw coal conveyor C27 to raw coal silo RCS2	1350 TPH	Full Enclosure	D061	PM/PM-10
S091	Z01	Raw coal conveyor C27 to raw coal silo transfer conveyor C29	1350 TPH	Full Enclosure	D061	PM/PM-10
S092	Z01	Raw coal conveyor C29 to raw coal silo RCS1	1350 TPH	Full Enclosure	D017	PM/PM-10
S093	Z01	Raw coal conveyor C1 to raw coal silo transfer conveyor C30	1200 TPH	Full Enclosure	D017	PM/PM-10
S094	Z01	Raw coal silo transfer conveyor C30 to raw coal silo RCS2	1200 TPH	Full Enclosure	D061	PM/PM-10
S095	Z01	Raw coal silo RCS1 to silo reclaim conveyor C31	2600 TPH	Full Enclosure	D018	PM/PM-10
S096	Z01	Raw coal silo RCS1 reclaim conveyor C31 to transfer conveyor C32	2600 TPH	Full Enclosure	D062	PM/PM-10
S097	Z01	Transfer conveyor C32 to raw coal plant feed conveyor C34	2600 TPH	Full Enclosure	D064	PM/PM-10

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled
S098	Z01	Raw coal silo RCS2 to silo reclaim conveyor C33	2600 TPH	Full Enclosure	D063	PM/PM-10
S099	Z01	Silo RCS2 reclaim conveyor C33 to raw coal plant feed conveyor C34	2600 TPH	Full Enclosure	D064	PM/PM-10
S100	Z01	Raw coal plant feed conveyor C34 to preparation plants PP1 and 2	2600 TPH	Full Enclosure	D021	PM/PM-10
S101	Z01	PP2 to dryer feed conveyor C35	760 TPH	Full Enclosure	D021	PM/PM-10
S102	Z01	TD2 feed conveyor C35 to thermal dryer TD2	760 TPH	Full Enclosure	D065	PM/PM-10
S103	Z01	TD2 product to transfer conveyor C36	760 TPH	Full Enclosure	D065	PM/PM-10
S104	Z01	TD2 product conveyor C36 to TD2 reclaim conveyor C37	760 TPH	Full Enclosure	D066	PM/PM-10
S105	Z01	TD2 reclaim conveyor C37 to clean coal silo CCS1 feed conveyor C9	760 TPH	Full Enclosure	D023	PM/PM-10
S106	Z01	PP2 to coarse clean coal conveyor C38	900 TPH	Full Enclosure	D021	PM/PM-10
S107	Z01	Conveyor C38 to clean coal silo CCS1 feed conveyor C9	900 TPH	Full Enclosure	D023	PM/PM-10
S108	Z01	CCS1 feed conveyor C9 to clean coal silo transfer conveyor C39	2400 TPH	Full Enclosure	D024	PM/PM-10
S109	Z01	Clean coal silo transfer conveyor C39 to clean coal silo CCS2	2400 TPH	Full Enclosure	D067	PM/PM-10
S110	Z01	Clean coal silo CCS2 to silo reclaim conveyor C40	2400 TPH	Full Enclosure	D068	PM/PM-10
S111	Z01	CCS2 reclaim conveyor to C40 silo CCS1 reclaim conveyor C12	4000 TPH	Full Enclosure	D069	PM/PM-10
S112	Z01	Preparation plant PP2 to refuse conveyor C41	1200 TPH	Full Enclosure	D021	PM/PM-10
S113	Z01	Refuse conveyor C41 to refuse conveyor C16	1200 TPH	Full Enclosure	D049	PM/PM-10
S114	Z01	Clean coal stockpile clean coal CCP1 feed conveyor C10 to CCP3 feed conveyor C42	2400 TPH	Partial Enclosure	D025	PM/PM-10
S115	Z01	Clean coal stockpile CCP3 feed conveyor C42 to stacking tube ST4	2400 TPH	Partial Enclosure	D069	PM/PM-10



Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant(s) Controlled
S116	Z01	Stacking tube ST4 to clean coal stockpile CCP3	2400 TPH	Drop Height	D070	PM/PM-10
S117	Z01	Dozer grading clean coal stockpile CCP3	2400 TPH	N/A	N/A	N/A
S118	Z01	CCP3 under-pile feeder to reclaim conveyor C43	4000 TPH	Full Enclosure	D071	PM/PM-10
S119	Z01	CCP3 reclaim conveyor C43 to rail loadout conveyor C13	4000 TPH	Full Enclosure	D028	PM/PM-10
S120	Z01	PP2 to fine clean coal conveyor C44	760 TPH	Full Enclosure	D021	PM/PM-10
S121	Z01	Fine clean coal conveyor C44 to TD1 dryer feed conveyor C6	760 TPH	Full Enclosure	D045	PM/PM-10
S122	Z01	Fine clean coal conveyor C44 to clean coal silo CCS1 feed conveyor C9	760 TPH	Full Enclosure	D045	PM/PM-10
S123	Z01	Raw coal silo RCS1 reclaim conveyor C31 to transfer conveyor C4	1100 TPH	Full Enclosure	D062	PM/PM-10
S124	Z01	PP1 plant feed conveyor C4 to PP1	1100 TPH	Full Enclosure	D021	PM/PM-10
SC1	Z01	Rotary Breaker 1 Scalping Screen	1200 TPH	Full Enclosure	D003	PM/PM-10
SC2	Z01	Rotary Breaker 2 Scalping Screen	1500 TPH	Full Enclosure	D055	PM/PM-10
TD2	TBD	Thermal Dryer #2 (coal fired)	760 TPH	Venturi Scrubber	DTD#2	PM/PM-10, SO <sub>2</sub>
CCP1	Z01	Main Clean Coal Stockpile	3.5 acres	Water Spray	D026	PM/PM-10
CCP2	Z01	Temporary Clean Coal Stockpile	1 acre	N/A	N/A	N/A
CCP3	Z01	New Clean Coal Stockpile	2.9 acres	Water Spray	D072	PM/PM-10
CR1	Z01	Reject Crusher 1 for RB1	1200 TPH	Full Enclosure	D009	PM/PM-10
CR2	Z01	Reject Crusher 2 for RB2	500 TPH	Full Enclosure	D057	PM/PM-10
RB1	Z01	Rotary Breaker 1	1200 TPH	Full Enclosure	D006	PM/PM-10
RB2	Z01	Rotary Breaker 2	1500 TPH	Fabric Vent Filter	D055	PM/PM-10
RCP1	Z01	Temporary Raw Coal Stockpile	1 acre	N/A	N/A	N/A
RCP2	Z01	Hoist 1 Raw Coal Stockpile	0.5 acre	N/A	N/A	N/A

<b>Emission Unit ID</b>	<b>Stack ID</b>	<b>Emission Unit Description</b>	<b>Size/Rated Capacity</b>	<b>Pollution Control Device Description (PCD)</b>	<b>PCD ID</b>	<b>Pollutant(s) Controlled</b>
RCP3	Z01	Hoist 2 Raw Coal Stockpile	1 acre	N/A	N/A	N/A

## EMISSIONS INVENTORY

A copy of the 2004 Emission Statement is attached. Emissions are summarized in the following table:

2004 Actual Emissions	Criteria Pollutant Emission in Tons/Year				
	VOC	CO	SO <sub>2</sub>	PM-10	NO <sub>x</sub>
Total	153.8	66.7	0	88.6	41.7

## EMISSION UNIT APPLICABLE REQUIREMENTS INVOLVING SIGNIFICANT MODIFICATION – THERMAL DRYER REQUIREMENTS (S017/S017A AND TD2):

### Thermal Dryers

Thermal Dryer #1: ENI coal/gas-fired “Coal-Flo” #10, Emission Unit ID: S017/S017A

Thermal Dryer #2: ENI coal-fired “Coal Flo” #10, Emission Unit ID: TD2

### Limitations

The VOC emission factors and resultant emission limitations for the thermal dryers have been revised based on stack test data from Thermal Dryer #1. The revised factors and limitations are applicable requirements from the current PSD permit dated July 30, 2004.

The permittee has submitted an application for a significant modification to their Title V permit to include the new applicable requirements for VOC emission limitations as follows:

Condition 10: Emissions from the operation of Thermal Dryer #1 shall not exceed the following:

Volatile Organic Compounds                      0.60 lb/MMBtu 362.7 tons/yr

Condition 11: Emissions from the operation of Thermal Dryer #2 shall not exceed the following:

Volatile Organic Compounds                      0.60 lb/MMBtu 664.9 tons/yr

The condition numbers noted above are from the PSD permit. PSD permit conditions 10 and 11 also contain emission limits for PM, PM-10, SO<sub>2</sub>, NO<sub>x</sub> and CO; however, emission limits for those pollutants have not changed. The Title V permit conditions affected by this modification are III.A.5 and III.A.6.

There are no changes in requirements for monitoring, recordkeeping, testing or reporting.

## COMPLIANCE ASSURANCE MONITORING (CAM) APPLICABILITY

CAM is not required as a result of this significant modification since there are no add-on controls for VOC emissions from the dryers.

## ADMINISTRATIVE CHANGES

Citations in the Title V permit conditions are changed to reflect the current PSD permit conditions where applicable.

The Responsible Official is changed to John F. Zachwieja.

## **COMMENTS ON GENERAL CONDITIONS**

### **B. Permit Expiration**

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement No. 3-2001."

### **F. Failure/Malfunction Reporting**

Section 9 VAC 5-120-180 requires malfunction and excess emissions reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to 9 VAC 5-20-180 including Title V facilities. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four day time business hours after discovery of the malfunction.

### **U. Malfunction as an Affirmative Defense**

The regulations contain two reporting requirements for malfunction that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on General Condition F.

### **Y. Asbestos Requirements**

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

## **PUBLIC PARTICIPATION**

A public notice regarding the draft permit was published in *The Virginia Mountaineer* newspaper in Grundy, Virginia on November 10, 2005. Copies of the draft permit and public notice were sent to the EPA by electronic mail on November 3, 2005. A copy of the public notice was sent by postal mail to the affected states, including West Virginia, Kentucky, North Carolina and Tennessee on November 7, 2005. A copy of the public notice was sent to all persons on the Title V mailing list by electronic mail, facsimile or postal mail no later than November 10, 2005.

Public comments were accepted from November 10, 2005, through December 9, 2005. No comments were received from the public, the affected states or the EPA regarding the draft permit.